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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

8285/162

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on 11/22/2005

Signature

Typed or printed name

LAURA P. HANSEN

Application Number

08/999,106

Filed

12/29/1997

First Named Inventor

BENNET

Art Unit

2735

Examiner

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒

attorney or agent of record.

Registration number 38170☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

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Typed or printed name

719-447-1990

Telephone number

11/22/05

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐

*Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bennett, et al.

EXAMINER: Pope, D.

SERIAL NO.: 08/999,106

GROUP: 2736

FILED: 12/29/97

CASE NO.: 8285/162

ENTITLED: System and Method For Home Automation and Security

Law Offices of Dale B. Halling
24 S. Weber, Suite 311
Colorado Springs, CO 80903

November 21, 2005

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Remarks

Status of the Claims

Claims 2-12, 14-34, and 36-53 are at issue. Claims 2-8, 11, 12, 14, 16, 18, 21, 22, 24, 27-31, 34 and 36-50 are rejected under 35 U.S.C. 103(a) as being unpatentable by Launey et al (5,086,385) in view of Heltman (5,939,980). Claims 29-10, 20, 26 & 32 are rejected under 35 U.S.C. 103(a) as being unpatentable by Launey et al in view of Heltman and further in view of Joao (5,917,405). Claims 15, 17, 19, 23, 25 & 33 are rejected under 35 U.S.C. 103(a) as being unpatentable by Launey et al in view of Joao and further in view of Heltman. Claims 51 & 52 are rejected under 35 U.S.C. 103(a) as being unpatentable by Launey et al in view Heltman. Claim 53 stands rejected under 35

U.S.C. 103(a) as being unpatentable by Joao et al in view of Launey and further in view of Heltman.

Clear Issue for Review

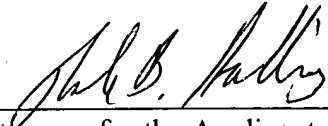
There is no suggestion or motivation to combine the references as done in the Examiner's rejections

The present application is a distributed home automation and security system that has a central intelligence attached through the PSTN to a number of homes. This reduces the cost associated with the home automation and security system and allows for greater intelligence in the central controller. The Examiner cites three patents: Launy is a general home security and automation system that does not show or suggest the distributed nature of the present invention. Heltmann is an automated "telecommunity" "neighborhood watch system". It does not show or suggest the centralized controller and intelligence of the present invention. Joao describes a control system for cars that is not distributed and will not work in the present application. Joao is completely inapplicable to the present invention. The logical combination of Launy and Heltmann is a home controller and automation system that sends alarms to neighbors as well as the police or fire department. There is clearly no suggestion for the present invention.

Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

(Bennett et al.)

By 

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